NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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DWR 1-121 (Revised 04/5/2018)

File No.

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14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application? Yes (If no, all owners must sign this application.) No No
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested? Yes

No No (If yes, all owners must sign this application.)

(c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety? (If no, all owners must sign this application.) **Yes No**

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at	Darden City, Kansas, this_	al day of _	October	, 20 20.
The	non Miles			
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	(Owner)		(Spouse)	
	mananana isebut karananan na mananan Po	and Mala geological		Constant of the second of the
	(Please Print)		(Please Print)	
State of Kansas	. } ss			
County of	inney			nt
of Octob	tify that the foregoing application was signed in m	y presence and	sworn to before me	this <u>21</u> day
My Commission	Expires	Julie	Notary Public	

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: Kansas Department of Agriculture

	Application to change a point of diversion 300 feet or less	
(2)	Application to change a point of diversion more than 300 feet	\$200
(3)	Application to change the place of use	\$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No.

- 1. A change application was received on <u>October 21, 2020</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
- 3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable
- 4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.

 Applicable
 Not Applicable
- 5. The point(s) of diversion authorized herein shall not actually be located more than ______ feet from the previously authorized point(s) of diversion. ____ Applicable ____ Not Applicable
- 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20_____, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
- 8. Installation of the works for diversion of water shall be completed on or before December 31, 20_____, or within any authorized extension of time. By March 1, 20_____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
- 9. The completed well log shall be submitted with the required notice.
- 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.
 Applicable Not Applicable
- 11. Additional Conditions are attached.
 Yes No
- 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Legal Division, **1320 Research Park Drive, Manhattan, KS 66502.** Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

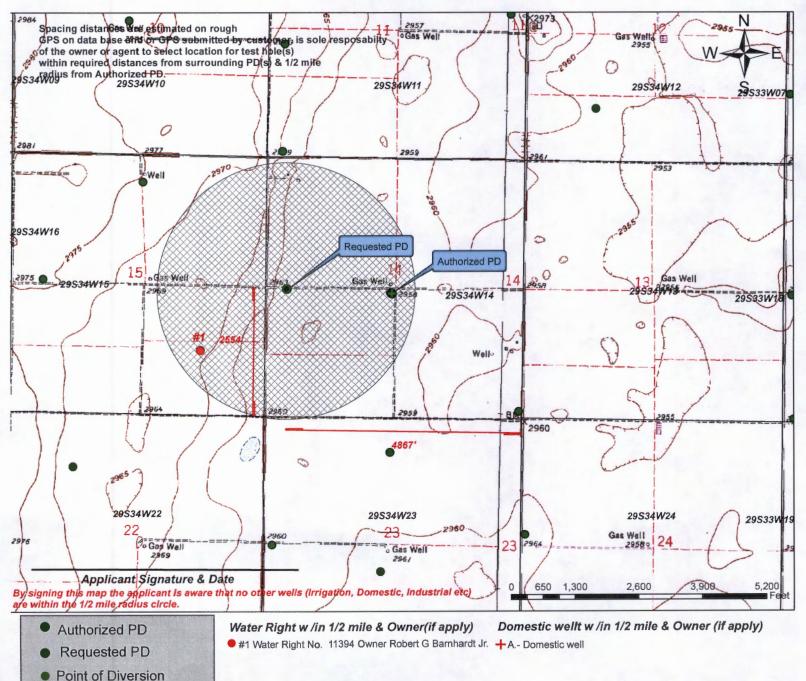
For Use by Register of Deeds

FOR OFFICE USE ONLY <u>APPLICATION APPROVED AND</u> <u>SUMMARY ORDER ISSUED</u>

By:	
Duly Authorized Des	signee of the Chief Engineer
(Print Name): Division of Water Resources	s - Kansas Department of Agriculture
Date of Issuance:	
State of Kansas)) SS
County of	
Acknowledged before me on	
by	
Signature:	
My commission expires:	
	(Notary Seal)

File No.

Point of Diversion Change WR 9408 T29 R34W Section 14 Haskell Co.



Active Water Right w/in 1/2 mile

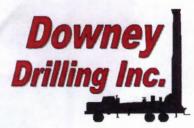
Half Mile Radius

domestic well w/in 1/2 mile

Authorized PU

Requested PD

WELL LOG



	CUSTOMER NAME:	HENRY WIEBE TH#1
Se.	LEGAL:	SW 14-29S-34W
971	W COUNTY:	HASKELL CO
Mr. in	GPS:	37.525608

Y

DATE: 10/2/2020

WEST

EGAL: SW 14-295-34W

-101.015640

			LOGGER: DRILLER:	ROGELIO			WO:	20-1029
TW	FROM	то	ТҮРЕ	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOPSOIL	SOFT	BROWN	FAST		SMOOTH
	2	10	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	10	28	SANDY CLAY W/ CALICHE	SOFT	TAN	FAST		SMOOTH & LITTLE VIBRATION
	28	54	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM	RED / TAN	FAST		FAST CHATTER
	54	65	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	65	73	FINE-MED-COARSE SAND W/ SMALL GRAVEL	STIFF	RED / TAN	FAST		FAST CHATTER
	73	78	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	78	110	FINE-MED GRAVEL W/ BIG ROCKS	SEMI-FIRM	RED / TAN	FAST		CHATTER
	110	114	TAN CLAY	SOFT	TAN	FAST		SMOOTH
	114	120	FINE-MED-COARSE W/ FINE GRAVEL	STIFF	RED / TAN	FAST		FAST CHATTER
	120	129	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	129	137	FINE-MED GRAVEL W/ BIG ROCKS	HARD	RED / TAN	FAST		CHATTER
	137	166	FINE-MED-COARSE SAND W/ SMALL MED GRAVEL	SEMI-FIRM	RED / TAN	FAST		CHATTER
	166	172	CLAY	STICKY	BROWN	FAST		SMOOTH
	172	196	FINE-MED-COARSE SAND W/ SMALL & MED GRAVEL	SOFT	RED / TAN	FAST		FAST CHATTER
	196	210	SANDY CLAY W/ FINE-MED SAND LAYERS	SOFT	TAN / BROWN	FAST		SMOOTH & VIBRATION
	210	221	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	221	269	BROWN STICKY CLAY W/ FINE-MED SAND LAYERS	STICKY	BROWN	FAST		SMOOTH & VIBRATION
	269	274	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	274	304	BLUE CLAY W/ SILTY CLAY	SOFT	BLUE	FAST		SMOOTH
	304	345	BLUE CLAY STATIC - 380	FIRM	BLUE	FAST		VIBRATION
_	345	390	MED-COARSE SAND, FINE GRAVEL	SOFT	RED / TAN	FAST		CHATTER
	390	408	FINE-MED-COARSE SAND W/ SANDY CLAY	SEMI- SOFT	TAN	FAST		CHOPPY
	408	433	MED-COARSE SAND, TR. FINE GRAVEL	SEMI-	TAN	FAST		FAST CHATTER
	433	470	FINE-MED-COARSE SAND W/ LIMEROCK & SILTY CLAY	FIRM	WHITE & BROWN	FAST		CHOPPY & SMOOTH
-		482	MED SAND, SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	470		FINE-MED-COARSE SAND W/ LIMEROCK, SANDSTONE & BROWN ROCK	SEMI-FIRM	WHITE &	FAST		FAST CHATTER
×	482	489	/17	SEMI-FIRM				FAST CHATTER
0	489	536	FINE-MED-COARSE SAND W/ BROWN ROCK	SEMI-	BROWN /	FAST		
X	536	550	BROWN ROCK W/ BLACK SOAPSTONE & SILTY CLAY FINE-MED-COARSE SAND W/ SMALL GRAVEL/ BROWN ROCK & SANDSTONE	SOFT	BLACK BROWN &	FAST SEMI-		CHATTER
X	550	565	44	HARD	GRAY	SLOW		FAST CHATTER
-	565	609	SOAPSTONE W/ FINE SAND & SANDSTONE	FIRM	GRAY WHITE &	FAST		VIBRATION
X	609	622	SANDSTONE W/ SILTY CLAY & IRON PYRITE	FIRM	BROWN	FAST		CHATTER CHATTER / CHOPP
X	622	633	SANDSTONE W/ IRON PYRITE LENSES	FIRM	TAN / GRAY	SLOWER		@ TIMES
	633	636	IRON PYRITE	HARD	GRAY	SLOW		ROUGH / CHOPPY
	636	639	SAND, SANDSTONE 3	SEMI-FIRM	GRAY / TAN			LT CHATTER
	636	639	GRAY SILTY CLAY	SOFT	GRAY	FAST		SMOOTH

w	FROM	то	ТҮРЕ	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
1	639	660	RED BED	HARD	RED	SLOW		CHOPPY
			QUIKGEL - 11					
			WATER LOADS - 2					
			SOADA ASH - 1/2					
			EZ MUD - 1/2					
			BRAN - 1					
1			HOLE PLUG - 2					
			CASING SEAL - 1					
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Laura Kelly, Governor

October 22, 2020

ROBERT G BARNHARDT JR PO BOX 188 BUCKLIN, KS 67834-0188

RE: Water Right, File No. 9408

Dear Sir:

This is to advise you that Henry Wiebe has filed application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion (well) under the above referenced file number. The proposed well location is within one half mile of an existing well that our records show is under your ownership.

You can find the complete application posted by water right file number as referenced above at <u>www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</u>.

You are notified on this proposed points of diversion (well) so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within <u>15 days</u> from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Michael A. Meyer Water Commissioner

MAM pc:

Groundwater Management District No. 3